

**ORDINANCE NO.**

**AN ORDINANCE AMENDING CITY CODE SECTION 25-1-21 AND SECTION 25-5-142 AND ADDING A NEW SECTION 25-2-517 RELATING TO THE APPROVAL OF AMPHITHEATERS AND AREAS FOR ASSEMBLY.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** City Code Section 25-1-21 (*Definitions*) is amended to add a new definition of “amphitheater” to read as follows and to renumber the remaining definitions accordingly:

(4) AMPHITHEATER means an outdoor or open-air structure or manmade area specifically designed and used for assembly and the viewing of an area capable of being used for entertainment and performances.

**PART 2.** City Code Chapter 25-2, Article 2, Division 2 (*Requirements for All Districts*) is amended to add a new Section 25-2-517 to read:

**§ 25-2-517 REQUIREMENTS FOR AMPHITHEATERS.**

(A) Construction of an amphitheater requires a site plan approved in accordance with the requirements of Section 25-5, Article 3 (*Land Use Commission Approved Site Plans*), regardless of whether the amphitheater is associated with a principal or accessory use.

(B) A decision by the Land Use Commission on an application for an amphitheater is subject to appeal under Section 25-5-149 (*Appeal to Council*). The Land Use Commission evaluation should consider a project’s impacts on adjacent uses, such as noise, parking, and traffic circulation.

**PART 3.** City Code Section 25-5-142 (*Land Use Commission Approval*) is amended to read:

**§ 25-5-142 LAND USE COMMISSION APPROVAL.**

Land Use Commission approval of site plan is required for:

- (1) a conditional use; ~~and~~
- (2) except as provided in Section 25-5-2 (*Site Plan Exemptions*), development in a Hill Country Roadway Corridor[-]; and
- (3) if otherwise required by this title.

**PART 4.** This ordinance takes effect on \_\_\_\_\_, 2013.

**PASSED AND APPROVED**

\_\_\_\_\_, 2013      § \_\_\_\_\_  
   § \_\_\_\_\_  
   § \_\_\_\_\_  
   Lee Leffingwell  
   Mayor

**APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
                         Karen M. Kennard                           Jannette Goodall  
                         City Attorney                                   City Clerk